

REMARKS

Claims 1-29 were originally presented in the subject application. Claims 22, 27 and 29 have hereinabove been amended to more particularly point out and distinctly claim the subject invention. No claims have herein been added or canceled. Therefore, claims 1-29 remain in this case.

The addition of new matter has been scrupulously avoided. In that regard, support for the amendments to claims 22, 27 and 29 can be found in the specification at, for example, numbered paragraph 0044.

Applicants respectfully request reconsideration and withdrawal of the various grounds of rejection.

35 U.S.C. §101 Rejection

The Office Action rejected claims 22-29 under 35 U.S.C. §101, as allegedly directed to software per se or signals per se. Applicants respectfully, but most strenuously, traverse this rejection as it applies to the amended claims.

Although Applicants disagree, at least for the reason that the noted claims recite at least one computer usable *medium*, i.e., a physical thing, having computer readable program code logic to perform the claimed function. Nonetheless, in order to advance prosecution, Applicants have amended the claims to recite that the medium is *encoded with* computer readable program code logic to perform the claimed function(s). See, e.g., *In re Lowry*, 32 F3d at 1583-84, 32 USPQ2d at 1035 (Fed. Cir. 1994). However, Applicants submit that such would have been understood by one skilled in the art as impliedly present in the original claim language “having.”

Therefore, Applicants submit that claims 22-29 recite statutory subject matter.

35 U.S.C. §103 Rejection

The Office Action rejected claims 1-6, 8, 10, 11, 13-18, 20-27 and 29 under 35 U.S.C. §103, as allegedly obvious over Afergan et al. (U.S. Patent Application Publication No. 2004/0010601) in view of Yoshida (U.S. Patent Application Publication No. 2004/0049546). Applicants respectfully, but most strenuously, traverse this rejection.

Claim 1 recites a method of facilitating the sending of mail from a restricted communications network. The method comprises automatically checking periodically by a communications unit external to a restricted communications network whether mail of the restricted communications network is to be sent, and retrieving by the communications unit the mail from the restricted communications network, in response to there being mail to be sent.

Afergan teaches routing user requests for content to a shield (group of content delivery servers), then from the shield through a firewall to the server able to access the content. Note, however, that the requests are going upstream, from the user to the shielded server. See, e.g., the Summary of Afergan.

Applicants agree with the Office Action that Afergan does not expressly disclose checking to see if mail should be delivered, either externally or internally. Instead, the Office Action cites to Yoshida, alleging it would have been obvious to add Yoshida's system to Afergan.

Yoshida teaches a mail system where a central mail server receives mail for multiple client domains. A client-side mail server at each domain checks for mail, which, when present, is sent from the central mail server to the client-side mail server. The client-side mail server then distributes the mail to individual users.

In other words, Yoshida's system is a downstream one, from the central mail server to the user. Applicants submit that the upstream shield of Afergan does not need to check for new content as the client-side mail servers do in Yoshida, since the Afergan shield is the one

forwarding the content request. Thus, since the two systems flow in opposite directions (Afergan flowing upstream, while Yoshida flows downstream), Applicants submit one skilled in the art would not combine the references as alleged.

Therefore, Applicants submit that claim 1 cannot be obviated over Afergan in view of Yoshida.

The remarks above with respect to claim 1 apply equally to independent claims 13, 21 and 22.

Applicants submit that the dependent claims are allowable for the same reasons as the independent claims from which they directly or ultimately depend, as well as for their additional limitations.

For example, claim 2 recites that the automatically checking comprises sending a request from a program of the communications unit to a program of the restricted communications network inquiring as to whether there is mail to be sent, the sending of the request being via an inbound connection from the communications unit to the restricted communications network over an available port.

The Office Action does not specifically address claim 2. However, Applicants submit that neither Afergan nor Yoshida, or their combination, teaches or suggests, for example, sending a request regarding mail from an external communications unit to a restricted communications network via an inbound connection over an available port. Applicants submit that one skilled in the art would understand “available port” to mean one that is not blocked by a firewall. See the present specification at, e.g., numbered paragraph 0022. Applicants submit the references are silent as to the direction of any connection and available ports.

Therefore, Applicants submit that claim 2 cannot be obviated over Afergan in view of Yoshida.

The remarks above regarding claim 2 apply equally to claims 14 and 23.

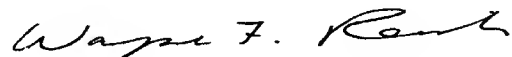
CONCLUSION

Applicants submit that the dependent claims not specifically addressed herein are allowable for the same reasons as the independent claims from which they directly or ultimately depend, as well as for their additional limitations.

For all the above reasons, Applicants maintain that the claims of the subject application define patentable subject matter and earnestly request allowance of claims 1-29.

If a telephone conference would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided.

Respectfully submitted,



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Dated: November 17, 2007.

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